3: Barrett E-5 (1908-1909)1925
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the adjoining room, and placed the two under it. They were followed to the canopy by the musicians and by all the spectators, the former playing their rattles, beating their drums, and whacking sticks most noisily, and all calling and shouting and making every manner of fun. Having been thus escorted to their mosquito canopy, the ceremony was ended, and the bride and groom were at liberty to remove their finery, appear in their usual dress, and go about without further restriction. 585

The Cayapa maintain that not only at present, under the influence of the Catholic Church, but also in aboriginal times, marriage between near relatives was strictly forbidden. Even marriage between remote cousins is prohibited. This relationship of cousin, however, is regarded in a way somewhat different from that of civilized peoples. Further in case of the death of a man or his wife, the survivor is prohibited from marrying any other member of his or her family. 582

Divorce is now strictly prohibited, and the Cayapa maintain that it was unknown even before they came under church influence. It is also held that even before the establishment of the church among them the family relations were as sacred and the family ties as binding as at the present time. Divorce, however, is only a theoretical prohibition. As a matter of fact it does occur at the present time, although very rarely. A man or a woman leaving his or her spouse is, if apprehended, severely punished by the Cayapa officials and every effort is made to force reconciliation. Although sometimes these efforts are successful, cases are known 586● 586 684

3: Barrett E-5 (1908-1909)1925
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586 684 in which, in order to escape the wrath of public opinion and castigation by the officials, offenders against the divorce laws have left the Cayapa country entirely and taken up their abode in Colombia or in the interior of Ecuador. The same applies to the laws relating to 582 684 marriage between near relatives. The evasion or the open violation of either the laws of divorce or those governing consanguineal marriage are, however, of such rare occurrence that the laws may be said to operate almost perfectly, and they, together with the laws requiring chastity and fidelity in both sexes, certainly produce a salutary moral effect on the community. In fact, it is most exceptional to find a tribe or a community of the size of the Cayapa in which the ethical standards are so high and so strictly observed.

DEATH

761 753 776 [754] As was stated in speaking of medicine practices, death is ordinarily attributed to the presence of malevolent spirits in the body, whither they find their way by various means. For instance, they may be placed by some malicious shaman in the soul of the individual as it wanders about during sleep, or they may enter directly into the body as one passes some particular spot believed to be infested with these malicious, disease-breeding spirits.

774 775 177 There seems to be a difference of opinion as to the soul. One informant maintained that there are numerous souls, each residing in a different part of the body; that the one in the chest is the largest and most im-

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Romulo appeals to a White official. Romulo lived with his wife and children, as well as with a dependent woman relative named Ines Cimarrón; this relative had been divorced by her husband because all of their children had died soon after birth. She had gone to live with Romulo and his wife immediately after the divorce. Some time later, a commission composed of two Negroes named Nikola Ayovi and Aurelio Caruso, and an Indian named Dámian Largo, came up from Playa Grande at the request of Averticio Largo, a 'cousin' of Dámian. Averticio was a widower [and so could only marry a widow or a divorcee], and he specifically asked the commission to bring Ines for him. The members of the commission had been given a few gallons of rum for this favor. Romulo, however, refused to give the woman up, claiming that he needed her to watch the house and children when he and his wife were out working, since they had no other relations. The Negroes replied that they would use force if need be. At this, Romulo went for his machete, but, as he was ill at the time, he could not fight effectively. The woman was removed, crying, from the

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were involved in the demise of the man and his children. Jesus, they say, never punishes people while they are living, and the fact of having been punished on earth by a tribal official in no way mitigates one's punishment after death. The young man may have been killed by witchcraft, but the Cayapa ever that this is not supernatural punishment, and he probably "just died for whatever reason."

When asked why widows could only marry widowers, the answer was invariably, "Jesus ordered it that way." According to my informant, the couple was permitted to return to the community because of the children. They were still considered to be living in sin, but they had been punished, and now the matter was in the hands of Jesus. The /ʔinʔi/ had applied the law as far as he could. He could do no more. In a way very similar to the cases of polygyny, to be discussed in the next chapter, an innovation had been introduced into the community--a new behavioral pattern was available for emulation! For the Cayapa, the realm of sin seems to be the most fruitful for cultural change.

Divorce. Divorce is theoretically prohibited

among the Cayapa. It is forbidden by the Church through the person of the priest, who is seldom seen. Many Cayapa maintain that divorce is not proper. At the present time, divorce is possible for both sexes, but it is much more difficult for a woman to obtain. In one instance, a woman was married to a mental defective and she left him with the full approval of the community. In the case of the crippled Julio Tapuila, his wife was not permitted a divorce even though Julio had been very miserly with her. On the other hand, a man may divorce his wife if she is barren or has too many still-births. In one case, a man beat his wife because she only gave birth to girls; he threatened either to kill her or to throw her out of the home (divorce), if the next child were a girl.

The divorce procedure is quite simple. The woman is simply told to leave! There is usually some grumbling by the woman's parents, but to my knowledge, complaints are never made to any of the officials. Julio Tapuila's case above was complicated by polygyny.

Santiaguño hired a Negro to bring his children back after his wife left him. Santiaguño Aragu's first

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wife did not like him, and after several years, she left, taking the children with her. Santiagueño was notified of the event by his brother while he was in the monte, working. He returned immediately and employed Joseline Caisaro, the Negro inspector of the village of Canoumas to bring back his children. Joseline was paid one hundred sucres for his work. He located the woman near Rapallo Grande and removed the children. The woman cried bitterly and said that she wanted to return to her husband, but Santiagueño did not want her. He claimed that she had had lovers during the months that she had been gone. She denied this, but to no avail. Santiagueño did not mind losing his wife this way, because she was a nag "brava y sinsera chúcula." She was later delivered to a man from the Punta Verde section. Santiagueño soon remarried, but the second wife died, and he then remarried a third time to the ex-wife of Antonio Blanco. Antonio had divorced his wife for being barren. "People said that it was not a nice thing to do, but no one demanded that he be punished."

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Clearly the attitudes toward divorce had modified considerably, especially since Barrett's recording of the following cases

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A man refuses to go back to his wife after being punished.

The offenders were, in this case, a man and a woman. The man had deserted his wife and child after abusing them for a considerable time and had assumed relations with a young widow. He had therefore been guilty not only of infidelity and abuse, but also of violating the immutable law forbidding divorce. The woman's crime was somewhat less grave. Being a widow, she had a right to remarry, but she had no claim to the husband of another woman . . . both the offenders were placed in the stocks where they remained during the afternoon . . . About 9 o'clock a gathering assembled in the room, the man was taken from the stocks, and several of the officials, including the chief, made short speeches concerning the pair and their crime . . . Finally the commission of officers who had been sent in the morning to bring the two for punishment was called forth and its leader gave a ritualistic invocation, after which the offending man was brought forward and made to stand before the stocks . . . The chief then administered fifteen strokes with the cat-o'-nine-tails . . . The culprit was destined to receive a greater number of strokes, but owing to the chief's infirmity due to a recent gun-shot wound, and to the fact that the culprit proposed to buy partial immunity with rum for the assemblage, he was given his liberty after receiving the punishment noted.

The woman was then brought forward and received ten strokes . . . Her case, however, was different from that of the man, and she was not set at liberty. By living with the man she had signified her desire to marry, hence it was determined to find a husband for her . . . [the following is reported for the next day]. The same pair of culprits . . . were brought in, placed in the stocks, and later castigated. The

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> woman received twenty-five strokes . . . while the man was given between thirty and forty strokes. The whipping of the man was due chiefly to the fact that he still refused to return to his family. The chief and others argued with him and tried again to persuade him to see the error of his way, but he stoutly maintained that he would not return, and the chief finally became so vexed that he gave the culprit a couple resounding slaps on the side of the head and remanded him to the stocks where he remained nearly the rest of the day. Toward evening he was liberated and was not further punished (Barrett 1925:402-407).

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By sheer determination, the culprit placed himself in a position where the chief was unable to cope with him and, in effect, the man was "permitted" to desert his family. His determination had placed him ultra vires [literally, beyond the power] vis à vis the chief and the law. The chief had gone as far as he could with the man, and finally, he could do no more than lose his temper. Barrett records that the culprit later left with his paramour, after she had been delivered in marriage to another.

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why he had delivered Margarita to his brother who was too young for marriage, he remained silent. The punishment was to be fifty lashes each, but since they kept protesting their innocence, the sentence was reduced to twenty lashes each.

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About a year after the death of Cristobal's first father-in-law, a son of the dead man named Gorce Cimarrón went to Colombia to hire a Cholo witch in an attempt to find out who had killed his father. The Cholo reported that Cristobal was the guilty one; so Gorce went to Cristobal's house and accused him of the murder, but Cristobal did not reply. Three days later Cristobal was dead. Several years later, one of Cristobal's brothers, Arcinto, heard of the affair and went looking for a witch. Gorce died a few years later, and his death was said to have been caused by the witch hired by Arcinto. Arcinto still lives in Vicha where he also has two wives. He has never been punished as he never goes to the ceremonial center for fiestas.

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In the space of certainly not more than a decade the above case is found in at least one alternate version.

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Mariano takes a second wife. Mariano lived up the Río Esmeraldas and was married to the daughter of Pedrito Añapa's paternal grandfather. They had three children, two girls and one boy. Mariano went looking for another wife near San José on the Río Cayapas. He had divorced his first wife and her father was very angry over the affair. Consequently, the woman's brother went to talk to Mariano who said that he had taken divorce action because this woman did not work or cook well. He also complained that she was older than he and slightly lame. Mariano was a witch, and he told the first wife's brother that he was going to kill his father. About a year later, the old man did indeed die. Following this, the brothers of the first wife went to Santo Domingo de los Colorados and found a Colorado witch who told them that the death was caused, not by God, but by a man--namely, Mariano. For two hundred and fifty sucres the witch offered to kill Mariano. The price was paid and Mariano died about four months later. The affair ended at this point with no attempts at revenge.

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While there are differences in names and locations and in the length of time leading to the death

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of the father-in-law, the plot is the same and the kinship relations of the dramatis personae are the same. In both versions, the murdered man's son goes to seek revenge with the aid of foreign witches. The first version reports that Cristobal came up from Vichu to cure Margarita, while in the second version, Mariano came up to San José. Margarita who is the wife of Alejandro of Borante was said to have been the second wife of Cristobal and she was born near San José. While the unity and historicity of the two tales is not certain, it is reasonably sure. It is of some interest that polygyny is not a factor in the second version. In both stories, the first wife leaves the home with apparent reluctance. The second version was told to me by a member of the first wife's family and leads me to believe that the bone of contention that initiated the chain of events which culminated in murder was not polygyny but, rather, the divorce. It is of considerable interest to note that in the first version, Aquiles *Jr* said to be still living with two wives in Vichu up the Río Esmeraldas and that he has never been punished. Clearly, one can avoid punishment by leaving the community at a distance sufficiently great to make the sending of a commission too expensive.

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the Río Verde. In fact, she said that she planned to go there with her late husband's brother. Her complaint was that the Rosenda household was "sad, bad, much crying and beating." She wanted to leave her husband permanently. According to my informants, this would be a valid divorce, considering the polygynous circumstances, and she could then remarry. She had left Rosenda without her children, because "the father did not send them along," and therefore within a few days she returned home to Rosenda. It was being said at the time that Rosenda was looking for a third wife.

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The area around Cojimíes is a bustling center of the banana trade, and the Cayapa who live there are very well off financially. The people of the San Miguel section are the furthest removed from the banana trade and from time to time go to the coastal areas to work. Sometimes they work for Whites and sometimes for Negroes, but mostly they seek work on Cayapa-owned land. For the first time non-related Cayapa may live and work together and opportunities for liasons are greatly increased. In some instances, as in the following case, they end in a polygynous marriage.

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father, and they argued. Roberto claimed that he needed two wives, and, being a rich brujo, he could afford them. Furthermore, the second wife could supply him with children. Romulo's father replied that Roberto should know well what he was doing in his own heart, and after death, Jesus would punish him.

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The case materials so far presented indicate that the polygynists and would-be polygynists have been wealthy and powerful dissidents. The following case of Segundo Añapa is a contrary instance that portends of major changes to come.

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Poor man attempts polygyny. Julio Tapullo who lived a short distance below Sapallo Grande had a crippled left arm. His wife, María Cimarrón, deserted him for another man named Segundo Añapa. Segundo who lived near Playa Grande on the Río Cayapas was already married to Petrona Cimarrón who was not related to María. Despite the objections of his first wife, he and María lived together for over a month. A 'niece' of Petrona met Aurelio who is one of the /cá·tala/ from the Río Camerones; she met him when he was bringing in bananas for sale directly to the boat at San Antonio.

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She told him the story, and when Aurelio returned home, he notified the /úny̆i/, Gabriel, and the case was brought up at Punta Venado during Christmas of 1960. Julio Tapullo, looking somewhat embarrassed, stood alone off to one side with his crippled left arm, supported by his right arm, laid across his chest. He was dressed in rather shabby clothing. [Most Cayapa try to wear new clothing to a fiesta.] His wife and Segundo stood somewhat apart in the center of a circle composed of about sixty people. Everyone, including the /úny̆i/, was very drunk. Gabriel asked why María had left her husband, and she replied that Julio was not supporting her and that he never bought her cloth and jewelry. Julio flatly denied everything. People in the crowd were saying that Julio could do as much work with his one good arm as most men could do with two. In the discussion between Gabriel and the two culprits it became obvious that they had come into contact quite accidently. Segundo had been out looking for a second wife at the same time that María had left Julio, and they met on the Río Onzole. Gabriel asked Segundo why he had felt he had to look for another wife when he already had three children, but

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Segundo did not reply. In the crowd the murmur went around, "por gusto," for pleasure. [Best translated here as, "for the hell of it."] They both received two hundred and fifty lashes, and as a Cayapa woman does not live by plantain alone, Gabriel advised Julio to spend more money on his wife.

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Again it is seen that Cayapa women are capable of direct action, but much more important, a case of polygyny had been successfully legally quashed. Compare, however, the severity of the sentence with that of Rosenda: two hundred and fifty lashes versus twenty, plus a thirty sucre fine. Cayapa law can handle the "little man." It is almost as if polygyny were becoming quasi-respectable. Gabriel implied that Segundo had no need for another wife, since he had children. The lack of follow-up action directed against the rich and powerful and the severe quashing that Segundo received may signal the formation of a class-structured society wherein polygyny is legally restricted to the wealthy. In any event, the chief in discussing with me all of the on-going cases of polygyny presented above denied his responsibility. He said that even though all of them were living in sin, everything was actually